DAVANGERE TOWN MUNICIPALITY.

Notification dated 11th April 1927.

The right to collect tolls at the toll-gates as noted in Schedules A and B during the official year 1927-28 will be sold by public auction at the places and on the dates specified against each gate.

2. Persons intending to bid at the sale must attend in person or by a duly accredited agent. Every such person should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A, as earnest money. The deposits of all the bidders except the first two or three whose bids are to be recommended for acceptance, will be returned at the close of the sale. The deposit of the successful bidder, who will be called the contractor, will be returned only on fulfilment of the contract. The deposits of the remaining bidders will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A, who reserves the final power of refusing or accepting without assigning any reason or whatever the highest or any bid that may be offered.

4. The contractor shall, within fifteen days of the receipt of intimation of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties forfeitures and liabilities referred to therein and shall furnish if he does not hold property in Mysore at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract.

5. The contract shall not be transferred by sale, gift or otherwise or sub-leased without the previous sanction of the Municipal Council.

6. The contract amount shall be paid in twelve equal monthly instalments in advance on the first day of the every month into the Municipal Office.

7. The contractor shall have no claim to the fees recovered from persons compounding the payment of toll in accordance with the Standing Rules and Orders approved by Government and he shall not levy any toll from such persons. He shall also pay along with the instalments, the authorized Local Railway and Education Cesses, if any, at the prescribed rates.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts till date of payment.

9. The contractor shall collect tolls only at the rates and at the gates on the traffic specified in Schedules A and B.

10. The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll.

11. The contractor shall keep at the toll-gate, true accounts of the daily collections and of the traffic passing through the toll-gate. These accounts shall be open to the inspection of the Municipal President. He shall, if required by the Municipal President furnish to the Office, at the end of every month, a true return for the month showing the traffic passing through the gate in the prescribed form.

12. The contractor will have the use of the existing toll-house and the gate without payment of any rent, and he should keep them in good repair failing which, the cost of repair will be recovered from him. If any toll-gate or house is required, it will be put up at the cost of the Municipal Council.

13. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatever.

14. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No. 274, dated the 4th November 1876, and the rules issued under the Local Boards and Village Panchayets Regulation or the rules framed by the Municipal Council under the Municipal Regulation. He shall recognize all exemptions made by the statute of rules in force for the time being. He shall pay special attention to the following points:—

(a) A table of authorized tolls shall be legibly written in English and Kannada and shall be put up in a conspicuous place near the toll-gate.

(b) Animals drawing any vehicles for which tolls can be demanded are not also to be charged with toll.

(c) No more than one payment of toll shall be demanded at any toll-gate in respect of any vehicle in any one period of 24 hours counted from sunrise to sunrise.

(d) Carts laden with bone or other substance as manure shall be treated as unladen and tolled accordingly.

(e) No toll shall be levied on foot passengers.

(f) No tolls shall be levied for the passage of troops or Military Stores or equipages or of Police Officers on duty or of any person or property in their custody or of any property *bona fide* belonging to Government as established, where proof is required by the production of a pass or certificate from any officer of the department to which the property belongs, authorized by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed before the cart, carriage or animal conveying such property reaches the destination noted in such pass or certificate.

This includes carts conveying timber and other forest produce belonging to Government covered by Departmenal passports signed by a Forest Officer.

(*g*) No toll shall be levied for the passage of traffic, carts, animals, etc.—

(1) Belonging to the Municipal Council.

(2) Conveying municipal servants on duty or property in the custody of such servants.

(3) Licensed by the Municipal Council.

(4) Assessed by the Municipal Council to Municipal taxation, provided the tax has been paid in advance.

(5) Possessed by a person who has compounded with the Municipal Council, for a prescribed sum in accordance with the rules approved by Government.

(6) Engaged by the Postal Department to convey Mails.

(7) Belonging to the Hon'ble the British Resident in Mysore.

(8) Belonging to Government servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowance.

(9) Belonging to His Highness the Maharaja or His Highness the Yuvaraja.

(*h*) No toll shall be levied on cattle belonging to the residents of the village or the town within the limit of which the toll gate is established.

(*i*) No toll shall be levied on British Military Officers in uniform passing on duty through the toll gates, provided they fulfil the following conditions:—

(1) Be travelling in a staff car.

(2) Wear uniform

Officers passing toll gates on duty otherwise than in uniform will enter in a book kept by the toll-gate keeper for the purpose, their rank, name and the nature of duty on which they are travelling. The contractor should keep such books in each of the toll-gates and have them presented on demand by the Military Officers passing the gate on duty.

15. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50 for each infringement. If the fine be not paid or in the event of instalments or other sums due are not paid within the prescribed date, it shall be competent to the President to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise. The resale will be held at the risk of the defaulting contractor, who shall be liable to make good all losses accruing but shall not be entitled to any profits arising from the resale.

16. The imposition of fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

SCHEDULE A.

1.	Name of toll-gate	Davangere Town Municipal Toll gates.
2.	Situation of the gate	On the town limits.
3.	Whether toll is to be levied on through-traffic, in-coming traffic or out-going traffic.	In-coming traffic.
4.	Traffic specially exempted from payment of toll on account of the peculiar situation of the toll-gates or the special requirements to the people near the toll-gate.	Nil.
5.	Amount of deposit required	Rs. 5.333 0 0.
6.	Place of sale	Chamrajendra Memorial Hall, Davangere.
7.	Date of sale	12th May 1927. at 2 P.M.
8.	Officer conducting the sale	The President, Town Municipal Council, Davangere.
9.	Officer confirming the sale	The Municipal Council, Davangere.
10.	Remarks	Nil.

SCHEDULE B

	Details of traffic.	*Rate.* Rs. a. p.
1.	Every laden cart or carriage	0 4 0
	Every empty cart or carriage	0 2 0

N.B.—Carts carying fire wood, fodder, and thatch should be treated as unladen for the purpose of levying tolls.

Motor vehicles are to be treated like any other conveyances.

S. ABDUL KHALAK.
President.

2-A M.